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Common Sense

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and nothing but the Truth"

Without fear or favor,

Caude W. G. G. G.
FOUNDER AND EDITOR

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THE SUPREME COURT -- COMMUNISM'S TROJAN HORSE IN THE U.S.A.

By Robert Lee Gibbons

At last the Invisible Government has apparently secured the complete control of the Supreme Court of the United States. While Franklin D. Roosevelt was in the White House, the Invisible Government tried to take over the Supreme Court by having their chief tool, F.D.R., increase to 16 the number of Justices so they could add enough "left-wing" stooges to swing the High Court decisions in favor of the Marxists. Strong public protests prevented them from packing the Supreme Court at that time, hence they were forced to wait and replace deceased members with judges who would do their bidding.

May 17, 1954, the day of the desegregation decision by the U.S. Supreme Court, has properly been called "Black Monday." In recent weeks, however, patriotic Americans of all sections should have been filled with anxiety when they picked up their evening papers on Mondays for fear of reading of additional "Black Monday" decisions by that Court. They have certainly been forthcoming.

Probably the worst of these decisions was the ruling on June 3, 1957, in the case of *Jencks v. United States* that the defendant was entitled to inspect all FBI reports relating to testimony of witnesses against him. This appalling and outrageous decision, which went beyond even the request of the attorneys for *Jencks*, and which Justice Clark, in dissenting, said afforded to the criminal "a Roman holiday for rummaging through confidential information as well as vital national secrets," might have a crippling effect on law enforcement in general in this country, and has already created confusion in the Federal courts. Lawyers for Communist traitors under this ruling can now, unless prosecution is abandoned, learn the identities of FBI informants within the Communist movement.

In order to place the *Jencks* decision in its proper perspective as part of an overall trend and pattern of the Court's assistance to traitors and security risks, extending over a period of more than 2 years, we present the following brief descriptions of 31 other decisions:

1. In *Quinn v. United States*, decided May 23, 1955, the Court reversed the contempt conviction of a member of United Electrical, Radio and Machine Workers of America who refused to answer a question before the House Un-American Activities Committee as to whether he had ever been a member of the Communist Party, even though he did not expressly invoke the privilege against self-incrimination, merely saying that he supported the statement of a witness on the preceding day who had invoked the First and Fifth Amendments.

2. On the same day the *Quinn* case was decided, the Court reversed the conviction of Julius Emspak, General Secretary and Treasurer of the same union, who had refused to answer 58 questions of the House



Chief Justice Earl Warren

Appointed to the Supreme Court as a Chief Justice in 1953, as a reward for his support of Ike in place of Sen. Robert A. Taft for the Presidency. Many of his opinions have favored the Communists.

Committee as to whether or not he was acquainted with named individuals who had been charged with having Communist affiliations. He cited the First and Fifth Amendments. In reversing, the Court claimed that these questions were within the scope of the Fifth Amendment.

3. In *Bart v. United States*, also decided on May 23, 1955, the contempt conviction of Philip Bart, general manager of the *Daily Worker*, was reversed, the Court claiming that the House Committee did not directly overrule his refusal, based on the Fifth Amendment, to name officials of the Ohio section of the Communist Party in 1936. The Committee counsel, Tavenner, had clearly told Bart that testimony relating to other people could not incriminate him.

4. In *Peters v. Hobby*, decided June 6, 1955, the Court gave a declaratory judgment that *Peters*, who had been Special Consultant to the U.S. Public Health Service and had been barred from the Federal service by the Civil Service Commission's Loyalty Review Board because of reasonable doubt as to his loyalty, had been removed invalidly, and ordered that the Board's findings as to reasonable doubt and its debarment ruling be expunged from its records.

5. On Nov. 7, 1955, the Court refused to review a decision of the Wis. Supreme Court which held that the Gwinn Amendment to the Federal Housing Law, prohibiting occupancy of subsidized Federal housing developments by persons in organizations on the Attorney General's list, was unconstitutional.

6. In *Cammer v. United States*, decided Mar. 12, 1956, the Court reversed the contempt conviction of *Cammer*, attorney for Ben Gold, who, after indictment of Gold by a Federal grand jury, mailed to members of the grand jury who were government employees, a questionnaire which sought to

ascertain whether such employee jurors might be influenced by bias or fear to indict persons charged with association with the Communist Party.

7. In *Penn. v. Nelson*, decided Apr. 2, 1956, the Court upheld the Supreme Court of Penn. in its holding that the Smith Act supersedes the enforceability of the Penn. Sedition Act under which Steve Nelson, in the words of Earl Warren "an acknowledged member of the Communist Party," had been convicted. This holding in effect annuls all state sedition acts, and the immediate effect thereof was to stop prosecution of 10 defendants under the Massachusetts law as well as a prosecution then pending in Kentucky.

8. Not content with wreaking havoc with state legislation, the Court on Apr. 9, 1956, held that Sec. 903 of the Charter of the City of N.Y., which provided that whenever a city employee used the privilege against self-incrimination to avoid answering a question relating to his official conduct his tenure of office shall terminate, was unconstitutional. Irving Slochower, an associate professor at Brooklyn College, who had been suspended under the provisions of Sec. 903, as a result of this decision recovered over three and one half years back pay from N.Y. City and was reinstated as a teacher!

9. In *United States v. Zucca*, decided April 30, 1956, the Court upheld dismissal of denaturalization proceedings against *Zucca*, who was alleged by the government to have been a member of the Communist Party and other organizations affiliated with or controlled by it, and to have procured naturalization by concealment.

10. In *Communist Party of the United States v. Subversive Activities Control*

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Associate Justice Felix Frankfurter

An Austrian born Jew, who rules the Court with an iron fist. Was the main incorporator of the Communist-front American Civil Liberties Union, a member of the legal staff of the NAACP and placed Alger Hiss in the Government with many more Reds.